IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Dan D. Browning Ethan D. Joffe Jaron Z. Lanier

Serial No. 09/159,509

Filed: September 23, 1998

For: METHOD AND APPARATUS FOR

CREATING A WIREFRAME AND POLYGON VIRTUAL WORLD

Atty. Dkt. No.: 5181-11402

P3051C

Group Art Unit: 2784

Examiner: Unknown

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated

Dan R. Christen

April 23, 1999

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PETITION AND DECLARATION OF FACTS IN SUPPORT OF FILING ON BEHALF OF AN INVENTOR WHO CANNOT BE FOUND UNDER C.F.R. §1.47(a)

Assistant Commissioner of Patents and Trademarks Washington, D.C. 20231

Dear Sir:

MAY 10 1999 Applicant hereby petitions for acceptance of the following Declaration of Facts in Support of Filing on Behalf of an Inventor Who Cannot be Found Under C.F.R. §1.47(a). Applicant declares that one of the inventors cannot be found.

This Declaration is made as to the pertinent facts that are relied upon to establish that a diligent effort was made to secure the execution of an Inventors' Declaration by an inventor who cannot be found for the above-identified reissue patent application.

This Declaration is being made by the undersigned, having first-hand knowledge of the facts recited therein.

- I, Dan R. Christen, do hereby declare that:
- I am a registered patent attorney commissioned on behalf of Sun Microsystems, Inc. to procure filing of the above captioned matter before the U.S. Patent and Trademark Office.
- 2. A reissue patent application was prepared for the captioned matter, the technical substance and scope of which has been approved by each of the present joint inventors.

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- 3. The last known address for joint inventor Dan D. Browning is 3223 Scott St. #14, San Francisco, CA 94123. This address is from the declaration Mr. Browning executed on January 21, 1991 in the parent patent application (filed November 30, 1990, serial no. 07/621,474).
- 4. The undersigned mailed two letters to Mr. Browning's last known address indicating Sun Microsystems' desire to pursue a reissue application. Both of these letters were returned to the undersigned along with the word "Unclaimed" stamped across the mailing envelope. Copies of the envelopes are incorporated herein as "Exhibit A".
- 5. I performed an internet search of telephone numbers for "D Browning" in the state of California using Yahoo's people search function. I instructed my legal assistant, Dena Poudrier to call each number on the list to try and find Mr. Browning. Mrs. Poudrier's declaration is attached hereto as "Exhibit B". A copy of the internet search results page is attached hereto as "Exhibit C".
- 6. Sun Microsystems is unaware of Mr. Browning's current whereabouts, as are each of the other named inventors. Thus, Applicant cannot locate Mr. Browning.

APR 2 6 1999 6

Respectfully submitted,

Dan R. Christen

Reg. No. 39,943

ATTORNEY FOR APPLICANT(S)

Conley, Rose & Tayon P.O. Box 398 Austin, Texas 78767-0398

Ph: (512) 703-1246

EXHIBIT B

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In re Application of:

Dan D. Browning Ethan D. Joffe Jaron Z. Lanier



Serial No. 09/159,509

Filed: September 23, 1998

For: METHOD AND APPARATUS FOR

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Atty. Dkt. No.: 5181-11402 P3051C

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Date

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| Dan R. Christen | Printed Name | April 23, 1999 |

DECLARATION OF FACTS IN SUPPORT OF FILING ON BEHALF OF AN INVENTOR WHO CANNOT BE FOUND UNDER C.F.R. §1.47(a)

Assistant Commissioner of Patents and Trademarks Washington, D.C. 20231

Dear Sir:

This Declaration is made as to the pertinent facts that are relied upon to establish that a diligent effort was made to secure the execution of an Inventors' Declaration by an inventor who cannot be found for the above-identified reissue patent application.

This Declaration is being made by the undersigned, having first-hand knowledge of the facts recited therein.

- I, Dena M. Poudrier, do hereby declare that:
- 1. I am currently employed by the law firm Conley, Rose & Tayon, P.C. as a legal assistant.
- 2. Dan R, Christen, a patent attorney also employed by Conley, Rose & Tayon, P.C. requested that I call each number appearing on the results page of a Yahoo people search he performed for D Browning. A copy of the Yahoo people search results page with my notes is attached as **Exhibit C**.
- 3. After calling each of the telephone numbers, I was unable to reach anyone who knew the whereabouts of the joint inventor Mr. Dan Browning.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Respectfully submitted,

Dena M. Poudiu

Dena M. Poudrier Legal Assistant

Conley, Rose & Tayon P.O. Box 398 Austin, Texas 78767-0398 Ph: (512) 703-1246

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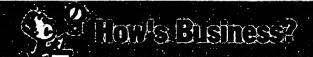
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D J Browning Redondo Beach, CA 90277 (310)376-6608

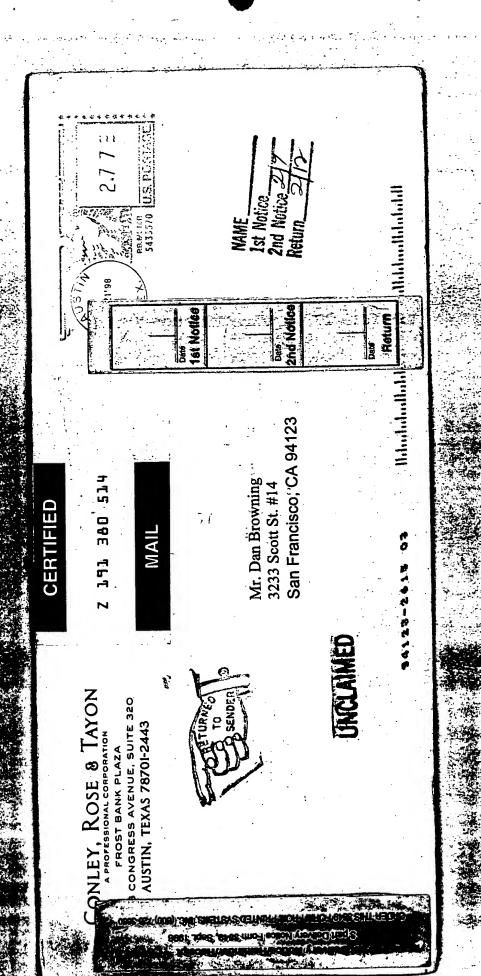
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Rectricted Delive EE 30 530 590 50 ☐ Return Receipt for Merchandlee 1. [] Addres extra fee): The state of the s Insurance Fee fa. Article Number . Date of Delivery (blad at eat bred) D-Express Mail ☐ Registered the and address on the reverse of this form so that we can return this COD Fee ID you. ach this form to the front of the malipiece, or on the back if spece does not 816 Congress Ave., Suite 320 is Yestum Receipt Requested" on the melipisce before the article number. Return Receipt will show to whom the article was delivered and the date OF COMPLETE, YOU MUST PRESENT THE TO FILE A CLAIM FOR DAMAGE OR LOSS ARTICLE, CONTAINER, AND PACKAGING Austin Texas 78701-2443 Coulty, Rose & Tayon TO THE USPS FOR INSPECTION. 94123 ORIGIN (POSTAL USE ONLY) 8. Signature: (Addresses or Apart) PS Form 3811, December 1994 3233 Scott Street San Francisco, CA Dan Browning 5. Received By: (Print Name) EXr. FROM: PLEASE PREUT MAIL 3. Article Addressed to: PO ZIP ON

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